

# HOUSE BILL 570

A2  
HB 1027/09 – ECM

0lr0735

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By: **Prince George's County Delegation**  
Introduced and read first time: February 3, 2010  
Assigned to: Economic Matters

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Committee Report: Favorable with amendments  
House action: Adopted  
Read second time: March 18, 2010

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Prince George's County – Alcoholic Beverages – Extinguishment of Licenses**

3 **PG 306–10**

4 FOR the purpose of ~~requiring the Prince George's County Board of License~~  
5 ~~Commissioners to declare an alcoholic beverages license to be extinguished~~  
6 ~~under certain circumstances;~~ authorizing a person to obtain a certain license in  
7 Prince George's County for the purpose of having the Board of License  
8 Commissioners declare the license to be extinguished; requiring the Board to  
9 declare the license to be extinguished at a certain time; requiring a person that  
10 obtains a certain license for certain purposes to take certain actions and  
11 prohibiting the person from taking certain actions; authorizing the Board to  
12 impose a certain penalty for certain violations; specifying that an extinguished  
13 license may not be replaced by the Board and that an extinguished license  
14 counts as one in a certain list of licenses; providing an exception to a certain  
15 licensing restriction; and generally relating to alcoholic beverages licenses in  
16 Prince George's County.

17 BY repealing and reenacting, with amendments,  
18 Article 2B – Alcoholic Beverages  
19 Section 9–102(a) and 9–217(b)  
20 Annotated Code of Maryland  
21 (2005 Replacement Volume and 2009 Supplement)

22 BY repealing and reenacting, without amendments,

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### EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 Article 2B – Alcoholic Beverages  
 2 Section 9–217(a)  
 3 Annotated Code of Maryland  
 4 (2005 Replacement Volume and 2009 Supplement)

5 BY adding to  
 6 Article 2B – Alcoholic Beverages  
 7 Section 9–217(b–1)  
 8 Annotated Code of Maryland  
 9 (2005 Replacement Volume and 2009 Supplement)

10 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
 11 MARYLAND, That the Laws of Maryland read as follows:

12 **Article 2B – Alcoholic Beverages**

13 9–102.

14 (a) No more than one license provided by this article, except by way of  
 15 renewal or as otherwise provided in this section, shall be issued in any county or  
 16 Baltimore City, to any person, or for the use of any partnership, corporation,  
 17 unincorporated association, or limited liability company, in Baltimore City or any  
 18 county of the State, and no more than one license shall be issued for the same  
 19 premises except as provided in §§ 2–201 through 2–208, 2–301, and 6–701 of this  
 20 article, and nothing herein shall be construed to apply to § 6–201(r)(4), (15), and (17), §  
 21 7–101(b) and (c), § 8–202(g)(2)(ii) and (iii), § 8–217(e), § 8–508, **§ 9–217(B–1)**, or  
 22 § 12–202 of this article.

23 9–217.

24 (a) This section applies only in Prince George’s County.

25 (b) **[The] SUBJECT TO SUBSECTION (B–1) OF THIS SECTION, THE** number  
 26 of licenses of each class of alcoholic beverage licenses may not exceed the following  
 27 maximum amounts:

28 (1) Beer license, Class A ..... 19  
 29 (2) Beer license, Class B ..... 23  
 30 (3) Beer license, Class C ..... 3  
 31 (4) Beer license, Class D ..... 76  
 32 (5) Beer and light wine license, Class A ..... 26  
 33 (6) Beer and light wine license, Class B ..... 45

1 (7) Beer and light wine license, Class B–GC ..... 4

2 (8) Beer and light wine license, Class B–Stadium..... 1

3 (9) Beer and light wine license, Class C ..... 8

4 (10) Beer and light wine license, Class D ..... 55

5 (11) Beer, wine and liquor license, Class A ..... 142

6 (12) Beer, wine and liquor license, Class B ..... 185

7 (13) Beer, wine and liquor license, Class BCE ..... 8

8 (14) Beer, wine and liquor license, Class B–CI ..... 2

9 (15) Reserved.

10 (16) Beer, wine and liquor license, Class B/ECF ..... 1

11 (17) Beer, wine and liquor license, Class B–ECF/DS ..... 1

12 (18) Beer, wine and liquor license, Class B–ECR ..... 1

13 (19) Beer, wine and liquor license, Class B–Stadium..... 1

14 (20) Beer, wine and liquor license, Class C

15 (i) Under § 6–301(r)(2) ..... 30

16 (ii) Under § 6–301(r)(3) ..... 25

17 (iii) Under § 6–301(r)(4) ..... 4

18 (iv) Under § 6–301(r)(5) ..... 12

19 (v) Under § 6–301(r)(7) ..... 1

20 ~~(B-1) (1) THE BOARD OF LICENSE COMMISSIONERS SHALL DECLARE A~~  
 21 ~~LICENSE TO BE EXTINGUISHED IF THE HOLDER OF THE LICENSE:~~

22 ~~(i) INFORMS THE BOARD IN WRITING OF THE INTENT NOT~~  
 23 ~~TO OPERATE AN ESTABLISHMENT FOR WHICH THE LICENSE WAS ISSUED; AND~~

1 ~~(H) PROVIDES EVIDENCE TO SATISFY THE BOARD THAT ALL~~  
2 ~~TAXES OR OBLIGATIONS TO WHOLESALERS OR OTHER PERSONS HAVE BEEN~~  
3 ~~PAID.~~

4 (B-1) (1) A PERSON MAY OBTAIN A CLASS A LICENSE OF ANY KIND FOR  
5 THE PURPOSE OF HAVING THE BOARD OF LICENSE COMMISSIONERS DECLARE  
6 THE LICENSE TO BE EXTINGUISHED.

7 (2) (I) THE PERSON SHALL INFORM THE BOARD OF LICENSE  
8 COMMISSIONERS OF THE PURPOSE FOR OBTAINING THE LICENSE.

9 (II) THE BOARD OF LICENSE COMMISSIONERS SHALL  
10 DECLARE THE LICENSE TO BE EXTINGUISHED WHEN THE PERSON COMES INTO  
11 POSSESSION OF THE LICENSE.

12 (3) WITHIN 10 DAYS AFTER HAVING COME INTO POSSESSION OF  
13 THE LICENSE, THE PERSON SHALL:

14 (I) SURRENDER THE LICENSE TO THE BOARD OF LICENSE  
15 COMMISSIONERS; AND

16 (II) PROVIDE EVIDENCE TO SATISFY THE BOARD THAT ALL  
17 TAXES OR OBLIGATIONS TO WHOLESALERS OR OTHER PERSONS HAVE BEEN  
18 PAID.

19 (4) A PERSON THAT OBTAINS A LICENSE UNDER THIS  
20 SUBSECTION MAY NOT EXERCISE THE PRIVILEGES OF, SELL, ASSIGN, OR APPLY  
21 FOR TRANSFER OF THE LICENSE.

22 (5) THE BOARD OF LICENSE COMMISSIONERS MAY IMPOSE ON A  
23 PERSON WHO VIOLATES THIS SUBSECTION A PENALTY NOT EXCEEDING \$1,000.

24 ~~(2)~~ (6) A LICENSE THAT IS EXTINGUISHED UNDER THIS  
25 SUBSECTION:

26 (I) MAY NOT BE REPLACED BY THE BOARD; AND

27 (II) COUNTS AS ONE OF THE NUMBER OF LICENSES IN THE  
28 APPROPRIATE CLASS LISTED IN SUBSECTION (B) OF THIS SECTION.

29 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
30 July 1, 2010.